

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BARBARA MORAES,

Plaintiff,

-v-

APRIL MACKENNA WHITE *and* ALEXANDER WILKE
WHITE,

Defendants.

21 Civ. 4743 (PAE)

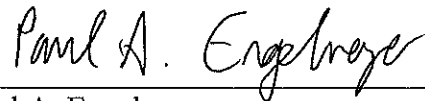
ORDER

PAUL A. ENGELMAYER, District Judge:

The Court has received the parties' submissions regarding plaintiff Barbara Moraes' request for an order to prohibit defendants from subpoenaing or otherwise contacting plaintiff's current employer. Dkts. 34, 26, 39. The Court denies this request. Defendants are entitled to question Moraes' current employer on the topics specified in their letter, as Moraes' course of dealings with her current employer are relevant to issues to be tried, including but not limited to Moraes' claim to have suffered emotional distress as a result of defendants' actionable conduct. Dkt. 36.

The Court recognizes, however, the sensitive nature of the proposed deposition, and its potential, if not approached with due care, to unsettle Moraes' current employment relationship. Accordingly, the Court authorizes plaintiff's counsel—at their election—to serve the deposition notice upon Moraes' current employer. The Court further admonishes defense counsel in strong terms to proceed with care and discretion, and not to take any steps—during the deposition or otherwise—to needlessly jeopardize Moraes' relationship with her employer. The Court would regard provocative conduct by defense counsel with great disfavor.

SO ORDERED.

A handwritten signature in black ink, reading "Paul A. Engelmayer". The signature is written in a cursive style with a horizontal line underneath it.

Paul A. Engelmayer
United States District Judge

Dated: February 8, 2022
New York, New York